

## **EU – BELARUS RELATIONS 'UNDER THE SIGN OF LISBON': WHAT IS TO BE EXPECTED FROM LISBON TREATY COMING INTO ACTION?**

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### **Summary**

**Since the Treaty of Lisbon<sup>1</sup> on the reform of the European Union was brought into action on December 1, 2009, a new transformation stage has begun in the history of united Europe. The new fundamental document is meant to make the EU more efficient, democratic and transparent, as well as strengthen the integration structure's positions in international relations. For Belarus, the important question is in what way the Lisbon innovations are going to influence the practices of the EU policy towards East European countries and the EU – Belarus relations.**

### **Focus Change**

Affected by euphoria caused by the completion of the long-drawn-out ratification of the Lisbon Treaty, a lot of politicians and commentators both in the EU and Belarus have aired an opinion that the institutional and procedural reforms provided by the new treaty will definitely result in a rapid and undeniable optimization of decision-making in the EU foreign policy. They point out that transition to the new administration system will help remove 'technical' barriers that until recently prevented the EU from becoming a full-fledged actor in international relations and a powerful center in the today's multi-polar structure of international politics. Prognoses are being made that in the context of the EU – Belarus relations it will be easier for united Europe to develop a more coherent and consistent approach under the new conditions.

However, basing on the analysis of the Lisbon Treaty, its ratification procedure and appointments of the first President of the EU Council and the High Representative of the EU for Foreign Affairs and Security (henceforth referred to as the High Representative) with extended functions, it can be argued that most of the expectations are not going to come true automatically, by the mere fact of the treaty having been brought into action. While considering the EU policy towards Belarus, we seem to be certain of two changes only.

Firstly, the ratification of the Lisbon Treaty by the last one of the 27 EU member states has drawn the line under the search for an optimal transformation model that has been going on for years. The institutional and procedural status quo, which was evidently

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<sup>1</sup> The full official title is the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community

inadequate for the EU-27 format, the failure of the European Constitution and problems with authorizing the Lisbon package itself made all the EU institutions concentrate their attention and focus their efforts on the major task of putting an end to the prolonged situation in which nothing was decided about the treaty. If the Lisbon Treaty had been turned down in a referendum in Ireland for the second time or if Germany, Poland and the Czech Republic had failed to ratify it, that would have made the prospect of a major systemic crisis in the EU absolutely possible. In this case, according to a widespread expert opinion, the propositions of the Lisbon Treaty would have had to be buried for quite a time. Even the states that think most positive of increasing European integration would hardly have been enthusiastic enough to initiate yet another procedure of reconsidering proposals to reform the EU.<sup>2</sup> On a practical level, that would entail, among other things, a total freeze on the prospects of further EU enlargement for a very long time. This would send a very clear message within the European Neighborhood Policy.

That the new fundamental agreement has been brought into action is a relief for the political elites of the EU member states. The 'European bicycle' keeps on going. Any further changes in the fundamental EU legislation will not be on the agenda for the nearest decade. In its turn, it allows the updated EU institutions to concentrate on the content of multiple political, economic and social changes. The shift in focus may certainly have an impact on, among other things, the energy and intensiveness with which united Europe pursues its policies in the fields that are of considerable importance to Belarus, such as the European Neighborhood in general and the Eastern Partnership in particular, the general strategy on Belarus and the relations with Russia. However, it should be remembered that this kind of focus shift is only one of many prerequisites for an essential qualitative change.

Secondly, the shift from rotational EU chairmanship to the institutions of the President of the EU Council and the High Representative will be of tangible practical importance to Belarus. (The High Representative will have the European External Action Service at his disposal with quite impressive staff of up to more than 5000.) What this innovation means is that the 'neighboring chair states' factor will be gone. In other words, it will put an end to the practice of prioritizing the East European dimension on the EU agenda through six months' chairmanship of member states with their specific invested interests in the region, such as Poland, Lithuania, Latvia, as well as Estonia, Germany, Sweden, the Czech Republic and Slovakia. At the same time, the factor of 'impartial chair states' will also be gone.

We have yet to witness the establishment of the EU's new diplomatic service. As a result we will see what material and human resources will be allocated to the East European dimension of the EU's joint foreign policy. In all probability, resource distribution within the new foreign policy institution and its programs will reflect the existing tacit balance of priorities between the East European and Mediterranean dimensions of the European Neighborhood Policy. In financial terms, the balance (or lack of it, for that matter) is established at a ratio of 1/3 (for the East European dimension) to 2/3 (for the Mediterranean dimension).

### **Uncertain Certainty**

Most of the expected changes in the EU – Belarus relations, which analysts tend to link to the Lisbon Treaty being brought into action, are definitely not automatic or unambiguous. In the long term they could of course become a reality. However, there are a lot of prerequisites.

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<sup>2</sup> Brady, H. Last Chance for Lisbon: Ireland's EU Referendum. – [http://www.cer.org.uk/pdf/bn\\_lisbon\\_22sept09.pdf](http://www.cer.org.uk/pdf/bn_lisbon_22sept09.pdf).

Thus, on the one hand, the beginning of the 'Lisbon reforms', particularly the expansion of the qualified majority vote practice in the EU Council, the establishment of the joint European diplomatic service, the appointment of the first President of the EU Council and the increased role of the European Parliament can be viewed as evidence supporting the case of the federalist theory of European integration. Within this theory, it would only be logical to expect such practical outcome as turning the common EU foreign policy and security from mainly a virtual concept into a full-fledged everyday reality. For the EU's policies on Belarus that would mean an unequivocal shift towards a more centralized decision-making. In its turn, this would give grounds to think in theory that now that the new fundamental document has been brought into action, the EU's position on Belarus and its methods would become more effective and all-embracing. In that case official Minsk would actually lose all the chances of playing on contradictions within the European Union or lobbying its interests through separate agreements with individual member states.

On the other hand, the long-drawn ratification of the Lisbon Treaty and the appointments to the new common European positions show that the conflict between the tendencies to strengthen the supranational factor on the one hand and to preserve political domination of national governments on the other, which has always been typical of the European integration, is still present, despite the adoption of the new EU legislation. This can be clearly illustrated by lots of articles in the leading European media and on information agencies' websites following the announcement of the new appointees' names. 'The appointments highlight the European Union's reluctance to choose a high-profile president who can see eye-to-eye with other world leaders,' says EurActiv.com.<sup>3</sup> 'They [Nicolas Sarkozy and Angela Merkel] are content for the new president to do the EU's internal business and for the foreign policy representative to work quietly away, relying more on the EU's combined power and less on a loud voice,' says BBC NEWS CHANNEL.<sup>4</sup> 'Ultimately, the two new leaders are a sign of just how little the EU is valued in Europe's capitals,' says SPIEGEL ONLINE.<sup>5</sup>

Thus, the question of where and at what speed the 'European integration bicycle' is moving and it stops still remains a theoretical puzzle. However, the appointment of the new EU top representatives equivocally proves that in the near future foreign policy will still be the domain of national governments. Besides, this is unambiguously stated in the fundamental treaty in its present form. The foreign policy mandate of both the High Representative and the President of the EU Council is limited to representing the EU's interests on the basis of decisions taken by the European Council and the Council of Foreign Ministers within procedures that actually always require a unanimous vote.

At the same time, it would be a mistake to ignore the prospects of the High Representative's increased coordinating role on the whole range of foreign policy and security issues. The merger of the positions of the old-style High Representative and the EU External Relations and Neighborhood Policy Commissioner was aimed at bringing together the 'political authority' of the former and the resources the latter had at their disposal. For this reason, even though such limitation as the required unanimous vote of the Council persists, the new High Representative will enjoy increased operative mobility within the content framework determined by the decision of the EU Council. In this respect, such an innovation as modified EU delegations abroad is also worth mentioning. Firstly, it has a symbolic meaning: previously called delegations of the European Commission, they have now acquired a more 'authoritative' title of the EU delegations.

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<sup>3</sup> EU elects discrete, consensual leaders. – <http://www.euractiv.com/en/future-eu/eu-elects-discrete-consensual-leaders/article-187509>

<sup>4</sup> Reynolds, P. EU Foreign Head Dismisses Critics. – [http://news.bbc.co.uk/1/hi/uk\\_politics/8370191.stm](http://news.bbc.co.uk/1/hi/uk_politics/8370191.stm).

<sup>5</sup> Volkey, C. Europe Chooses Nobodies. – <http://www.spiegel.de/international/europe/0,1518,662357,00.html>.

Secondly, it also has practical significance: now that the institution of rotational chairmanship in the field of the EU's foreign policy has been simplified, it is the EU delegations that are entrusted with representing the EU's coordinated positions in third countries on a permanent basis. Consequently, the role and importance of this mission to Belarus will clearly grow as compared to the current role of the Office of the European Commission.

It can be expected that in the future a lot of things in the EU's new diplomatic structure will be determined by personal and professional characteristics of people placed at the core of making and implementing decisions. What matters here is not only the personalities of the President of the European Council, the High Representative and key officials of the External Action Service. It is not fully clear how exactly 'diplomatic workload' will be distributed within the European Commission. As is stressed in its press-releases, a number of European Commissioners in President Jose Manuel Barroso's new team will have to work in close collaboration with the High Representative,<sup>6</sup> who is also the Vice President of the European Commission. What is of particular interest to Belarus is the new position of the Enlargement and European Neighborhood Policy Commissioner. If approved by the European Parliament, Czech representative Štefan Füle is going to take this post. The 'diplomatic block' also includes Commissioners on International Cooperation, Humanitarian Aid and Crisis Response, as well as the Commissioner on Development.

Thus, according to the authors of *The Value of Power, The Power of Values: A Call for an EU Grand Strategy* report, the Lisbon Treaty will provide the EU with more and better tools – a grand strategy must clarify, when and how to use them.<sup>7</sup> Time will show whether the European Union will be able to develop such a Grand Strategy and when exactly it will happen.

## Conclusions

1. That the Lisbon Treaty has been brought into action is of great symbolic importance, demonstrating that the 'European integration bicycle' keeps moving. However, on the practical level **we can at present be certain of only a few changes** brought about by the 'Lisbon epoch' **that are important in the context of the EU – Belarus relations.**
2. The first important change is the shift of focus of the EU institutions and officials' attention and organizational efforts from drawing up, approving and ratifying a Statute to **the necessity to fill various changes in the EU policies with real content.** This refers to both the European Neighborhood Policy as a whole and the EaP initiative in particular, including the EU – Belarus and EU – Russia relations.
3. Now that the institutions of the President of the European Council and the High Representative for Foreign Affairs and Security Policy (with the External Action Service and EU delegations as their backbone) have substituted for rotational chairmanship, **both the Belarusian government and the opposition structures and civil society have lost the opportunity to promote their interests through actively influencing EU chair states** that have their invested interests in Eastern Europe. It can be expected that in the post-Lisbon EU, the degree of prioritizing East European states in the EU's joint foreign policy will correspond to the current tacit East European – Mediterranean priority rate.

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<sup>6</sup> President Barroso Unveils His New Team. –

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1837>

<sup>7</sup> Egmont Paper 33 – The Value of Power, The Power of Values: A Call for an EU Grand Strategy. –

<http://www.egmontinstitute.be/paperegm/ep33.pdf>